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# Redistricting the State for Representation in Congress and the General Assembly

Report of the Commission on Redistricting

The Majority Report

The Minority Report

Statement of A. S. Harrison, Jr.



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# REDISTRICTING THE STATE FOR REPRESENTATION IN THE CONGRESS AND GENERAL ASSEMBLY

# REPORT OF THE COMMISSION ON REDISTRICTING TO THE GOVERNOR AND GENERAL ASSEMBLY

Richmond, Virginia November 2, 1951

To: HONORABLE JOHN S. BATTLE, Governor of Virginia and THE GENERAL ASSEMBLY OF VIRGINIA:

As has been done from time to time, the General Assembly of 1950 created a Commission on Redistricting. The resolution creating the Commission and setting forth its duties is as follows:

#### HOUSE JOINT RESOLUTION NO. 39 Commission to Study Redistricting

Whereas, the results of the census of 1950 should be available in 1951; now, therefore, be it

Resolved by the House of Delegates, the Senate concurring, That a commission be, and it hereby is, created to make a study of redistricting the State as the same involves the apportionment of representation in the General Assembly, and in the House of Representatives of the Congress of the United States. The Commission shall consist of nine members to be appointed as follows: six members of the House of Delegates to be appointed by the Speaker thereof, and three members of the Senate to be appointed by the President of the Senate. As nearly as practicable a member of the Commission shall be from each Congressional District. The members of the Commission shall receive no compensation for their services but shall be paid their necessary expenses incurred in the performance of their duties, for which, and for such secretarial or other assistance as may be required, there is hereby appropriated the sum of fifteen hundred dollars to be paid from the contingent fund of the General Assembly.

The Commission shall complete its study and make its report to the Governor and the General Assembly by November fifteen, nineteen hundred fifty-one, and

shall set forth in such report its findings and recommendations.

The Speaker of the House of Delegates, pursuant to authority conferred upon him, appointed from the membership of the House Messrs. George S. Aldhizer, II, Broadway, 7th Congressional District, John Warren Cooke, Mathews, 1st Congressional District, Harry B. Davis, Princess Anne, 2nd Congressional District, Roy B. Davis, Paces, 5th Congressional District, G. Edmond Massie, Richmond, 3rd Congressional District, and du-Val Radford, Bedford, 6th Congressional District; the President of the Senate, under like authority, appointed from the Senate Messrs. W. C. Caudill, Pearisburg, 9th Congressional District, Andrew W. Clarke, Alexandria, 8th Congressional District, and A. S. Harrison, Jr., Lawrenceville, 4th Congressional District.

The Commission organized as soon as the results of the decennial census became avail-

able in preliminary form. This was in March, 1951.

At its organization meeting the Commission elected Mr. R. B. Davis as its chairman.

John B. Boatwright, Jr., served as Secretary to the Commission.

The Commission has studied proposals for redistricting the State made by prior legislative commissions and the results of legislative action thereon. It has sought the views of the two major political parties and in addition has considered plans submitted by many individuals and groups. It has studied the constitutional and statutory provisions prescribing the standards to be followed in redistricting and has reviewed court decisions construing the same. The Commission held a public hearing at Richmond after due notice to interested persons and groups. A lengthy discussion was held with Virginia's delegation in the



#### Members of the Commission

Roy B. Davis, Chairman
Andrew W. Clarke, Vice-Chairman
George S. Aldhizer, II
W. C. Caudill
John Warren Cooke
Harry B. Davis
A. S. Harrison, Jr.
G. Edmond Massie
duVal Radford

Staff
John B. Boatwright, Jr.
G. M. Lapsley
William R. Miller

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House of Representatives in the Federal Congress. Conferences have been had with the Attorney General. The present districts have been thoroughly discussed. After consideration of the data before it, the Commission submits the following recommendations.

#### RECOMMENDATIONS

- I. The plan hereto attached and designated Appendix A should be adopted for redistricting the State for representation in the Congress.
- II. The plan hereto attached and designated Appendix B should be followed in redistricting the State for representation in the Senate.
- III. The plan hereto attached and marked Appendix C should be adopted in redistricting the State for representation in the House of Delegates.

The reasons for the recommendations of the Commission follow and are numbered to correspond with the above recommendations.

#### I. Reapportioning Representation in Congress

Section 55 of the Constitution is as follows:

§ 55. Apportionment of State into congressional districts by General Assembly.—The General Assembly shall by law apportion the State into districts, corresponding with the number of representatives to which it may be entitled in the House of Representatives of the Congress of the United States; which districts shall be composed of contiguous and compact territory containing as nearly as

practicable, an equal number of inhabitants.

The above provision as construed by our Supreme Court in the case of Brown v. Saunders, 159 Va., page 39, requires a reasonable adherence to equality of representation. Unusual circumstances, nonetheless, may modify this provision. If, for instance a district were established composed of two cities, wholly within a county contiguous to each other yet not contiguous to another county and each such city contained a population of 200,000, it is not believed that the Supreme Court would reject a plan based on such a situation even though the other districts ranged closely above and below the average of 330,000. In an attempt to avoid gerrymandering, strange and unique districts should not be created. No instances are known to the Commission in which a political subdivision has been split between two districts.

It must likewise be recognized that effective representation in Congress depends upon the Congressman being able to meet with his constituents. This is much easier in a concentrated district of large population than it is in a district which, perforce, must be

spread out over a greater area and even then contain fewer inhabitants.

In the opinion of the Commission, the language in the case of Brown v. Saunders does not necessarily require blind adherence to an average where other factors necessarily must apply. From these general observations the Commission will now proceed into a more detailed discussion of the several districts.

Ideally, each district should have approximately 330,000 inhabitants. On the basis of the Census of 1950, Virginia is entitled to an additional Congressman to be added to its present quota of nine. Populations of the districts from which the Congressmen presently come are as follows, in round figures:

First	314,000
Second	525,000
Third	385,000
Fourth	259,000
Fifth	316,000

Sixth	337,000
Seventh	281,000
Eighth	507,000
Ninth	390,000

It is apparent that the second and eighth districts are far out of line; the third and ninth are somewhat high and the fourth and seventh are somewhat low. What is done to

the second and eighth districts will materially affect the adjacent districts.

Many of those appearing before, or writing to, the Commission made much of the effects of possible annexations. The Commission is of opinion that these should not be allowed to influence the thinking of those who must redistrict the State. The Commission is of opinion that redistricting should be based on the 1950 Census and not on future contingencies. Otherwise, with every change in population a redistricting might be necessary and continuity of representation in Congress made well nigh impossible.

1. In the first district the city of Fredericksburg and the county of Spotsylvania are transferred to the eighth district. To the first there are added the counties of Charles City, James City, New Kent, and the city of Williamsburg from the third district. The first is primarily a tidewater district. The addition of those units from the third will add localities with such conditions and include in one district persons of similar interests. The localities

transferred to the eighth do not have tidewater ties.

2. In the case of the second district, the Commission was confronted by obvious difficulties. It is separated from the first district by the Bay and by several rivers. It is entirely too large and embraces within it urban and rural sections with diverse interests. The most practical solution appeared to be the formation of a district with a city as the core, surrounded by satellite areas of like interest. Accordingly, the Commission recommends the establishment of the second district composed of the cities of Norfolk, Portsmouth, South Norfolk, and the counties of Princess Anne and Norfolk. This makes a big district from a population standpoint but many people who live in Norfolk County work in one of these cities. Any other grouping will violate contiguity, compactness or mutuality of interest. As the cities grow citizens annexed will still be in the same district. The representative can visit any portion of the district quickly and easily. As constituted under the proposal, it is compact, contiguous and composed of persons with similar interests.

3. In the case of the third district, it appeared proper to the Commission to compose the same of the counties of Chesterfield and Henrico and the cities of Richmond and Colonial Heights. The tidewater areas of Charles City, James City, New Kent and Williamsburg have been transferred to the first district. Hanover and King William are transferred to the eighth. The new third is a compact and contiguous area with a population close to the mean. The counties included in the district are closely allied in interest

with the principal city in it.

4. The fourth district likewise posed a major problem to the Commission. This was brought about by two factors. One, population of the district is too low, and the other is that what was left of the second had to be joined to an adjacent district in order to constitute as nearly as practicable a compact and contiguous territory. The present fourth is practically entirely rural and the proposal of the Commission is that it remain so. Accordingly, the Commission recommends the addition to the fourth from the old second of the counties of Southampton, Isle of Wight and Nansemond, together with the city of Suffolk. If all these were added to the present fourth, it would result in a district having somewhat too large a population and one which is likely to grow. Accordingly, the Commission recommends the removal from the fourth of the county of Powhatan to be transferred to the eighth district.

5. This district is too close to the average to be able to make any change that would improve it. As the Commission can make no improvement in the district as constituted it

recommends no change.

6. The sixth district appeared so close to the desirable mean that the Commission

was able to devise no plan which would improve the situation.

7. As regards the seventh district, the Commission is well aware of the fact that the district is fairly low in population. At the same time, however, it has been the long established policy of Virginia to maintain the Valley of Virginia as a separate district. The mountains which form the eastern boundary of the district constitute a major barrier to communication should a county to the east of the mountains be added to the present district. In view of the difficulty of adding any population to the present district which would not look like a mere appendage and, in fact, be one, the Commission decided to leave the seventh as it presently is. It points out to those who have other proposals to offer that the present seventh is compact and contiguous and the addition of any other area in an attempt to meet a criteria of population alone will defeat the other objectives. In the opinion of the Commission, the present seventh contains as nearly as practicable all the population it can within reason.

8. The difficulties that confronted the Commission in the case of the second district likewise appeared in the eighth. On only one point did all persons appearing before the Commission agree and that is the creation of the new tenth district out of the counties of Arlington and Fairfax, together with the cities of Alexandria and Falls Church. The creation of the tenth district leaves the eighth sorely lacking in population and constituted almost entirely of a rural section which, in the nature of things, cannot be compact. To those counties and cities remaining in the eighth after the excision of the tenth, the Commission recommends the addition from the fourth district of the county of Powhatan, Spotsylvania and Fredericksburg are added from the first, and Hanover and King William from the third. The addition of these leaves the eighth as reconstituted with a population of 263,354. Even though low in population, the area is large. Effective representation well nigh precludes the addition of more territory to the eighth.

9. The ninth district had a population in the 1950 Census of 390,000 approximately. This, in the opinion of the Commission, was somewhat, though not too, high. At the same time there is no adjoining district which would not be thrown over the average by taking population from the ninth and adding it. Equality in one place would be inequality else-

where. The district appears to meet every requirement of the Constitution.

10. It has been said above that everyone agreed on the tenth district to be composed of Arlington, Fairfax, and the cities of Alexandria and Falls Church, with a total population of 303,328. It is impossible to make a more compact and contiguous territory and come as close to the average.

DISTRICT		POPULATION
First	and have an	312,327
Second		446,200
Third		334,127
Fourth		332,958
Fifth		316,734
Sixth		337,947
Seventh		281,325
Eighth		263,354
Ninth		390,380
Tenth		303,328
	TOTAL	3,318,680

The Commission is of opinion that the above plan meets the requirement of the Constitution. It is obvious that the Commission's proposal would place persons with like interests in the same district. If this can be done with as close attention as has been paid to the requirements of equality of population, the Commission believes that much will have

been accomplished. At the same time, the Commission has not been unmindful of the advantages of continuity of service in the Congress. To critics of its plan, it would suggest that they present a better one meeting all of the above requirements. To those who criticize the plan on the ground that they do not want their district disturbed, the Commission points out that redistricting is mandatory and that the changes in the old eighth and second necessarily affect adjacent districts; such changes have been held to a minimum.

Reapportionment of the General Assembly

The requirements for redistricting the General Assembly are far less rigid than those applicable to Congressional redistricting. Section 43 of the Constitution is as follows:

§ 43. Apportionment of Commonwealth into senatorial and house districts.—The present apportionment of the Commonwealth into senatorial and house districts shall continue; but a reapportionment shall be made in the year nineteen hundred and thirty-two and every ten years thereafter.

#### II. Reapportioning the Senate

The ideal Senate district would contain approximately 83,000 people. The changes in population of the present districts on the basis of the 1950 Census as compared to the

1940 Census are extreme in several cases.

The Commission has sought to disturb as few districts as possible. In seeking to reapportion, it has set as its goals the figure of 60,000 as the minimum and approximately 120,000 as the maximum. There are certain exceptions to each of the foregoing. These exceptions are necessary and in some cases have been remedied by giving increased representation in the House of Delegates. Here again the point must be made that representation of a compact area is rendered a great deal easier than representation of a smaller constituency spread out over a large territory. After this general statement the details will be discussed. When a district is not discussed, it means that no change is recommended as to that district.

3. The third district now has one Senator representing a population of about 190,000 in three subdivisions. The Commission recommends that the district be split and that Portsmouth be given one Senator as a new thirtieth district; the present allocation of one

Senator would remain for Norfolk County and South Norfolk.

4. The fourth district is somewhat light in population and stretches over a great area. It is the opinion of the Commission that the new fourth district should be composed of the counties of Bedford, Botetourt, Rockbridge, and the City of Buena Vista, with a population of about 74,000.

7. The seventh district contains too low a population. The Commission recommends

that Lunenburg from the ninth be added, making the population 67,000.

8. The eighth district is likewise low and the Commission recommends that Amelia

and Nottoway be added from the ninth, making a total population of 77,280.

9. The deletions from the ninth require the abolition of the present ninth. The new ninth district should be composed of the counties of Appomattox, Buckingham, Cumberland, Powhatan, Amherst, and Nelson, with a total population of 68,234.

10. The tenth district has too low a population and the Commission recommends the addition to it of Charlotte and Prince Edward, making a total of 70,897 population.

11. The old eleventh was largely transferred to the new ninth. The Commission recommends that the new eleventh be composed of Pittsylvania County and the city of Danville, with a population of 101,000.

13. A portion of the old thirteenth has been transferred to the new eleventh; it is recommended that the remainder of the district, consisting of Henry, Patrick, and Martins.

ville, be constituted the thirteenth district with a population of 64,112.

20. It is recommended that the twentieth be composed of Alleghany, Bath, Craig, Montgomery, and the cities of Clifton Forge and Radford, with a population of 77,488. The remainder of the old district has been transferred to the fourth.

21. The twenty-first district should be composed of the counties of Franklin and

Roanoke, with a population of 66,046.

22. The twenty-second is a large district in population, but it lacks a good deal of having enough for an additional senator, and it is recommended that it remain as is.

- 25. The twenty-fifth district is low, and the Commission recommends the addition of Loudoun to the counties of Clarke, Frederick, Shenandoah and the city of Winchester, making a total of 80,768.
- 27 and 28. The old twenty-seventh district must be abolished in order to bring up the populations of adjoining districts. Accordingly, it is recommended that the twenty-eighth district be composed of Culpeper, Fauquier, Orange, Stafford, Prince William, and the city of Fredericksburg, with a population of 93,917, and that a new twenty-seventh district be composed of the city of Alexandria, with a population of 61,787.
- 29. The twenty-ninth district should be composed of Fairfax and Falls Church, with a population of 106,092.
- 30 and 31. The old thirtieth district is too low and must be abolished to bring up the populations of adjoining districts. Accordingly, the thirty-first district should be composed of Caroline, Goochland, Hanover, King William, Spotsylvania, Louisa, and King George, with a population of 82,435. Portsmouth should constitute the new thirtieth district.
- 32. The thirty-second district should be composed of Essex, Gloucester, King and Queen, Mathews, Middlesex, Lancaster, Northumberland, Richmond, and Westmoreland, with a population of 72,024.
- 33. The thirty-third district is too large and must be split. Accordingly, it is recommended that the thirty-third be composed of the county of Warwick and the city of Newport News, with a population of 82,233.
- 34. The remainder of the old thirty-third must be transferred to the eastern portion of the old thirty-fourth, constituting a new thirty-seventh district composed of Charles City, James City, New Kent, York, Elizabeth City, and the cities of Hampton and Williamsburg, with a population of 94,467.

The old thirty-fourth was too large, as above stated, and portions of it were transferred to portions of the old thirty-third. The new thirty-fourth would emerge as the counties of Chesterfield and Henrico and the city of Colonial Heights, with a population

of 103,817.

A detailed plan is attached, marked Appendix B.

The Commission is aware that it has abolished districts which have been of long standing. It must point out, however, that reasonable population requirements must be met. Insofar as practicable, the requirements of population, together with the requirements of a reasonable area in which a candidate may campaign, have been adjusted. The task has not been easy.

### III. Reapportioning the House

The comments made under subdivision II applicable to representing a compact area as compared to one spread over a greater area are equally pertinent here. The ideal House district would contain 33,000 population. It is obvious that some of the present districts are below, while others are well above, the average. "Floaters" are the only practical way in a number of instances to permit equality of representation. Wherever possible, the Commission has abolished such districts and is opposed to them in principle. The constitutional

requirements applicable to redistricting the Senate apply likewise to the House. Equality of population is not mandatory and the General Assembly may consider such factors as it deems appropriate. A detailed discussion of the reapportionment of the House will follow. When a district is not mentioned, the Commission has made no change.

- 3. The present district has two delegates. These should be split and one delegate should represent the city of Charlottesville and the other the counties of Albemarle, Greene and Madison.
  - 4. Alexandria should have an additional delegate as its population is 61,787.

    5. Bath should be added to this district to bring its population up to 35,230.
- 6. Dinwiddie should be added to this and Nottoway taken away, leaving a population of 26,747.
- 7. The present "floater" delegate for this district should be abolished, and the new seventh district becomes Charlottesville, taken from the old third.
- 10. Falls Church joins Arlington in this district and an additional delegate should be added, bringing it to a total of 3.
- 11. Highland should be added to bring the population to 70,507 for the two delegates.
- 12. This district as now constituted should be abolished, and Halifax and Charlotte become the new twelfth with a population of 55,499.
- 19. The "floater" delegate for this district should be abolished. Henrico already has a delegate as does the district of Chesterfield and Colonial Heights. There is still a surplus of population. It is recommended that a new district be created composed of Henrico, Chesterfield and Colonial Heights, with a total population of 103,817.
- 20. Powhatan should be added and Appomattox removed, leaving the district with a population of 25,096.
- 22, 25. These districts as now constituted should be abolished, and their numbers reassigned. The new twenty-second district is composed of the counties of Orange (from the present forty-ninth district) and Spotsylvania and the city of Fredericksburg (the present seventy-fifth district). The population is 36,833. The new twenty-fifth is composed of Prince Edward county together with Appomattox, from the twentieth, giving a population of 24,162. Charlotte county is transferred to the twelfth district.
- 26. This district should be changed by dropping out Powhatan, leaving a total population of 46,477.
- 28. Rappahannock should be taken away and Fauquier added, leaving a total population of 34,490.
- 30. Dinwiddie has already been transferred to another district and the 30th should be reconstituted with Lunenburg and Nottoway, with a total population of 29,595.
- 31. An additional delegate should be allocated to this district, which contains Elizabeth City and the city of Hampton and has a population of 60,994.
- 32. An additional delegate should be added to represent the county of Fairfax only, with a total population of 98,557. There is not enough for three delegates.
  - 33. This district as now constituted should be abolished, and its number reassigned.
- 39. This district should lose one of its delegates, bringing it to a total of one. A new twelfth district composed of Charlotte and Halifax should be created; the delegate will be a "floater."
  - 40. King and Queen should be added to bring the population to 35,873.
- 42. Patrick should be added to this district, bringing it up to 64,112, and a delegate should be added, giving it a total of two.
- 45. This district should be composed of King George, Caroline, and Essex, with a population of 25,711.
- 46. This district should have added to it Northumberland and Westmoreland from the forty-fifth district with a total population of 34,989.

49, 51. These districts as now constituted should be abolished, and their numbers reassigned.

54. Newport News already has a delegate, and it is recommended that this district

be composed solely of Warwick, with a population of 39,875.

55. This district should have an additional delegate as it has a population of 110,371.

56. An additional delegate should be added to give Norfolk City six for a population of 213,513.

57. Rappahannock should be added to bring the population up to 36,065.

58. This district as now constituted should be abolished, and its number reassigned.

75. Orange should be added to bring this district up to 36,833, and the district renumbered as the twenty-second.

76, 77. These districts should remain the same but the seventy-sixth should be renumbered as the new thirty-third, and the seventy-seventh should be renumbered as the new forty-ninth.

78. The population of Wise is too high for one delegate and too low for two, so Dickenson should be added for a total of 79,729, giving the district two delegates. The district should be renumbered as the new fifty-first district.

79. This district should remain the same but be renumbered as the new fifty-eighth

district.

In making the foregoing changes, the Commission has sought to work within a minimum of 19,200 population and a maximum of 52,400. A detailed plan is attached, to which reference may be made.

An Appendix D is attached to this report to show the present and projected districts

to which each county or city belongs.

#### CONCLUSION

The Commission respectfully submits its work to the General Assembly of 1952. It has sought diligently to perform its task within the framework of the constitutional and judicial requirements applicable thereto. It wishes to point out that the application of these principles to the counties and cities in Virginia is difficult. It believes that the plans devised are proper ones under the circumstances, and it hopes that they will merit the support of the General Assembly.

Respectfully submitted,

Roy B. Davis, Chairman Andrew W. Clarke, Vice-Chairman W. C. Caudill John Warren Cooke A. S. Harrison, Jr.

#### MINORITY REPORT

Due to the disparity in the population of the Congressional Districts as they are constituted in the majority opinion of the Commission and for other minor reasons which it is not deemed necessary to set out in detail, the undersigned, members of the Commission, do not feel that they can conscientiously concur with the majority report of the Commission. They do, however, concur in the report of the Commission with reference to the redistricting of the General Assembly.

The average Congressional District according to the 1950 census should contain 331,-868 persons. The Second District, according to the report, contains 446,200 persons, or 114,332 more than the average. The Eighth District as constituted in the majority report contains 263,354 persons or 68,514 less than the average. It will thus be seen that there is

a difference of 182,846 persons between the lowest district in population and the greatest district in population or a difference of more than one-half of one entire Congressional District.

The Supreme Court of Appeals of Virginia has held (Brown vs. Saunders, 159 Va. 28) that the principle of practical equality of representation in Congress is the fundamental law of Virginia. In the cited case, the Congressional redistricting act was declared invalid. The disparity in population in the majority report is greater than that in the above case which was held invalid and therefore the undersigned feel that they cannot concur in the redistricting of the Congressional Districts.

Respectfully submitted,

George S. Aldhizer, II Harry B. Davis G. Edmond Massie duVal Radford

#### STATEMENT OF A. S. HARRISON, JR.

In concurring with the majority report of the Commission on Redistricting, I am not unmindful of the disparity in the population between the Second District, and the Eighth and Seventh Districts, as proposed, or of the decision of the Supreme Court of Appeals of Virginia in the case of **Brown** v. Saunders, 159 Va. 28, 166 S. E. 105.

However, there has been such a tremendous increase in population in certain areas of Virginia that the situation which now confronts us is hardly comparable to that of 1930.

The court set aside the Congressional Reapportionment Act of 1930, because of a dis-

parity in population between districts and in its opinion said:

There is no natural boundary, or other consideration of habits or convenience of the people, in the division as made which could not have been observed in applying the principles of practical equality required by the Constitution. There are numerous counties lying in one district and adjacent to those in another with a population varying from about 6,000 to some 27,000, some of which could by a slight change in district line have been included in the districts containing the smaller population, and thus have applied the provision of practical equality required."

The court held that, in the division as made in the 1930 Act, it was possible and practical to transfer counties from one district to another, to bring about equality in population, and there was no natural boundary or other consideration to have prevented this.

It will be observed that the two smallest districts, (Eighth and Seventh), recommended in the majority report, do not adjoin any other district which is heavily populated, or from which a county, or counties, could be taken that would greatly alleviate the situation.

The redistricting of the State of Virginia for Congressional representation is no easy task. Virginia is a large state, with diverse interests. The state is somewhat triangular in shape with a mountainous area extending from the southwest to the northwest part of Virginia. A number of its counties border along the Atlantic Seaboard and the Chesapeake Bay, with two counties cut off from the mainland. In recent years the population of the city of Washington has mushroomed in growth over into Virginia, giving the counties of Fairfax and Arlington, with the cities and towns therein, a population sufficient to constitute one district. The Norfolk and Richmond areas have likewise enjoyed an amazing growth in population.

It is manifest from a study of the population increase in Virginia from 1940 to 1950 that the tremendous increase in the Norfolk area, together with the topography of that area, has provided the Commission with its greatest problem in redistricting the State.

There is every argument, except equality in population, for creating a Congressional District to consist of the cities of Norfolk, Portsmouth and South Norfolk and the counties of Norfolk and Princess Anne, and as recommended in the majority report. Such a district would be contiguous, compact and composed of a population having a community of interest. Every consideration of habit or convenience of the people would justify such a division. Its Congressman would represent 446,200 persons, but only five political subdivisions, and an area of only 667 square miles. He would be within a few minutes' ride of every person living within his district.

The large disparity in population between the Second and Eighth Districts must be viewed with misgivings. However, if it be conceded that the proposed Second does not meet the test of constitutionality, we are faced with the following uninviting alternatives:

1. To create the Second District from the cities of Norfolk, Portsmouth, and South Norfolk, and Norfolk County, with a population of 403,923. In this event, Princess Anne County will be placed in the First District. Several members of the Commission are convinced that the First District, comprising the two eastern shore counties, Princess Anne County, and other counties along the Chesapeake Bay, would not be contiguous or compact, within the meaning of the Constitution. While I dissent from this view, there are impelling reasons why Princess Anne County should continue in the same Congressional District with the cities of Norfolk, Portsmouth, and South Norfolk, for obviously the area would be more contiguous, more compact, and there is a greater community of interest between Princess Anne County and the adjacent cities, than between Princess Anne and the other counties which would constitute the First District.

For the Second District to consist of the cities of Norfolk, Portsmouth, South Norfolk and the county of Princess Anne. In this event Norfolk County would be placed in the Fourth District. There are numerous objections to this. Norfolk County virtually surrounds the cities of Norfolk, Portsmouth and South Norfolk. There is every possible community of interest between this county and the three cities. The economy of the county is integrated with the cities. The courthouse of Norfolk County, and its various county offices, are located within the city of Portsmouth. To place Norfolk County in the Fourth District would be putting an area primarily urban with a district which is predominantly agricultural. It would create a district which would extend in a westerly direction from the United States Naval Base, at a point on Granby Street, and only a few blocks from the Chesapeake Bay, through the peanut, cotton, bright tobacco and dark tobacco sections of Virginia to the Fifth District. Its congressman would be required to represent diverse, and sometimes conflicting, interests. While such a district might be contiguous, it would not be compact or include political sub-divisions having a community of interest.

It is hoped that before anyone recommends the inclusion of Norfolk County with the counties of the agricultural Fourth, a study be made of a detail map of the Norfolk area and observation made of that "strip" of Norfolk County which is heavily populated, and which lies between the city of Norfolk and Princess Anne County. To include this area in the Fourth District would have the effect of extending the District into and through the middle of the Second District, and almost to the waters of the Chesapeake Bay.

3. It has been suggested that Norfolk County be divided, a portion thereof to be placed in the Second District, and the residue in the Fourth. A strip of Norfolk County, which the city of Norfolk seeks to annex, lies between the city and Princess Anne County, and is supposed to contain approximately 45,000 people. There are numerous objections to this. As stated by the Supreme Court, in Brown v. Saunders: "From the early history of Virginia, even in Colonial days, the community of interests in the respective counties has been recognized, and in no division of the state for any governmental purpose has any county line been broken." Aside from this dicta which disapproves the division of a county, and with which I agree, I do not feel that the General Assembly, in redistricting the state, should give consideration to the possibility that an area might at some subsequent date be annexed to a city, even though annexation proceedings are pending. To do so

would place the General Assembly in the position of anticipating the action of the court, prejudging a case, and thereby project this legislative body into a controversial matter which should be left wholly to the decision of the areas involved and the court.

4. Numerous other combinations of political sub-divisions in this area were considered. Among them was a proposal that the city of Portsmouth be placed in the First District. This was rejected because the areas would not be compact and contiguous and for the further reason that the cities of Portsmouth and Norfolk, for reasons too numerous to mention, should remain in the same Congressional District. The possibility of grouping counties lying along the south and north sides of the James River in the same district was considered, but rejected for the reason that the River is (in the Norfolk area) regarded as a natural boundary, and for the further reason that no suggested combination of counties and cities offered a solution of the problem.

It is, therefore, believed that, unless equality in population completely outweighs and over-balances all other considerations of compactness, contiguity, consideration of habit, convenience of the people, and community of interest, the Second District, as recommended, is within the constitutional requirements. Especially in view of the conditions and circumstances which bring about the disparity between the population of this area and the other districts. These are conditions which cannot be changed, and any attempt to remedy the situation would result in the creating of a district as objectionable in other respects as the Second District is from a population standpoint.

The disparity between the population of the other proposed nine districts is not too great, and does not vary too much from the mean of 331,868. The Seventh District will have a population of only 281,325, but the area is largely mountainous consisting of approximately 6,289 square miles and containing 18 political sub-divisions. The Eighth District will consist of 19 political sub-divisions with 6,453 square miles

It will undoubtedly be said that a county should be taken from the Ninth District and added to the Fifth, thereby reducing the population of the Ninth, which is now 390,380 inhabitants, and increasing the population of the Fifth, which is now 316,734. It is not believed that the disparity in population between these two districts, having regard for the areas involved and other factors, is so great that any violence will be done the Redistricting of the State if the General Assembly leaves the two districts as presently constituted.

It has also been argued with force and merit that Hanover County should be included in the Third District. The economy of this County is closely allied with the city of Richmond and the counties of Henrico and Chesterfield, and there is a great community of interest between the people of these political sub-divisions. However, to do so would add to the problem of finding a sufficient population for the Eighth District.

The State of Virginia is territorially divided into fairly well defined areas,—the Valley of Virginia, the Southwest, Tidewater, Piedmont, and Southside, etc. Within the limits of the Constitution and the Statute, the State should be redistricted to preserve the territorial integrity of these areas. It is of vital importance for urban areas to be placed in the same district, and rural areas placed in the same district. The majority plan will accomplish this to a great degree.

It is hoped that the observations made in this addendum to the Commission's report, taken with the report and recommendations of the Commission, and the minority report, may be of aid to the General Assembly of Virginia, which must enact legislation at its 1952 session reapportioning representation in the House of Representatives of the Congress of the United States, and in the General Assembly of Virginia.

Respectfully submitted, A. S. Harrison, Jr.

# APPENDIX A CONGRESSIONAL DISTRICTS

No.	Counties and Cities	Population	Total
1	Hampton	5,966	
	Newport News		
	Williamsburg		
	Accomack		
	Caroline	12,471	
	Elizabeth City	55,028	
	Essex		
	Charles City		
	Gloucester		
	James City		
	King and Queen		
	Lancaster		
	Mathews	-	
	Middlesex	6,715	
	New Kent		
	Northampton		
	Northumberland		
	Richmond	6,189	
	Warwick		
	Westmoreland		
	York		312,327
2	Norfolk	,	
	Portsmouth	,	
	South Norfolk		
	Norfolk County	99,937	
	Princess Anne	42,277	446,200
3	Colonial Heights	6,077	
	Richmond	230,310	
	Chesterfield	40,400	
	Henrico	57,340	334,127
4	Hopewell	10,219	
	Petersburg	. 35,054	
	Suffolk	12,339	
	Amelia		
	Appomattox		
	Brunswick		
	Buckingham		
	Cumberland		
	Dinwiddie	. 18,839	

No.	Counties and Cities	Population	Total
	Greensville	. 16,319	
	Isle of Wight	. 14,906	
	Lunenburg	. 14,116	
	Mecklenburg	. 33,497	
	Nansemond	. 25,238	
	Nottoway	. 15,479	
	Prince Edward	. 15,398	
	Prince George	. 19,679	
	Southampton	. 26,522	
	Surry	. 6,220	
	Sussex	. 12,785	332,958
5	Danville	. 35,066	
	Martinsville	. 17,251	
	Carroll	. 26,695	
	Charlotte	. 14,057	
	Franklin	. 24,560	
	Grayson	. 21,379	
	Henry	. 31,219	
	Halifax	. 41,442	
	Patrick	. 15,642	
	Pittsylvania	66,096	
	Wythe	23,327	316,734
6	Clifton Forge	5,795	
	Lynchburg	47,727	
	Radford	9,026	
	Roanoke	. 91,921	
	Alleghany	. 23,139	
	Bedford	. 29,627	
	Botetourt	15,766	
	Campbell	28,877	
	Craig	3,452	
	Floyd	11,351	
	Montgomery	29,780	
	Roanoke	41,486	337,947
7	Buena Vista	5,214	
	Harrisonburg	10,810	
	Staunton	19,927	
	Waynesboro	12,357	
	Winchester	13,841	
	Amherst	20,332	

No.	Counties and Cities	Population	Total
	Augusta	. 34,154	
	Bath		
	Clarke		
	Frederick		
	Highland		
	Nelson		
	Page		
	Rappahannock		
	Rockbridge		
	Rockingham		
	Shenandoah		201 225
	Warren	. 14,801	281,325
8	Charlottesville		
	Fredericksburg	. 12,158	
	Albemarle		
	Culpeper		
	Fauquier		
	Fluvanna		
	Goochland		
	Greene	a Am. c and	
	Hanover		
	King George		
	King William		
	Loudoun		
	Louisa	,	
	Madison		
	Orange		
	Powhatan		
	Prince William		
	Spotsylvania		262 254
	Stafford	. 11,902	263,354
9	Bristol		
	Bland		
	Buchanan		
	Dickenson	. 23,393	
	Giles	. 18,956	
	Lee		
	Pulaski	. 27,758	
	Russell	. 26,818	
	Scott		
	Smyth		
	Tazewell		
	Washington		
	Wise	,	390,380
10	Alexandria	. 61,787	
	Falls Church		
	Arlington	444	
	Fairfax		303,328
	tantax	. 20,227	

### APPENDIX B

### SENATORIAL DISTRICTS

No.	Counties and Cities	No. Senators	Population
1	Northampton	1	
2	Norfolk City	2	213,513
3		1	
4	Botetourt	1	
5	Nansemond	1	
6	Surry	1	
7	Mecklenburg	1	
8	Petersburg	1	
9	Buckingham Powhatan Cumberland Amherst	1	
10	Halifax Charlotte	1	• • • • • • • • • • • • • • • • • • • •
			· ·
11		1	
12		1	

No.	Counties and Cities	No. Senators	Population
13	Henry Patrick Martinsville		• •
14	Carroll Floyd Grayson		
15	Smyth Washington Bristol		
16	Lee		
17	Dickenson		
18	Buchanan Russell Tazewell		
19	Bland Giles Pulaski Wythe		
20	Alleghany Bath Craig Clifton Forge Montgomery Radford		••
21	Franklin		
22	Arlington	1	135,449
23	Augusta Highland Staunton Waynesboro		
24	Page Rappahannock Rockingham Warren Harrisonburg		
25	Clarke Frederick Shenandoah	1	
	2000000		50,763

No.	Counties and Cities	No. Senators	Population
26	Albemarle Fluvanna Greene		
	Madison		
27	Alexandria	1	61,787
28	Culpeper Fauquier Fredericksburg		
	Orange Stafford Prince William	• • • • • • • • • • • • • • • • • • • •	
29	Fairfax Falls Church	1	
30	Portsmouth	1	. 80,039
31	Caroline		
	Hanover		
	King William		
	Louisa		
32	Essex		
	King and Queen		
	Middlesex		•
	Northumberland		
	Richmond County		
33	Warwick		
34	Chesterfield		
	Henrico		
35	Richmond City		
36	Roanoke City		
37	Charles City		
	New Kent		
	York		
	Elizabeth City Hampton		0.4.4.5

### APPENDIX C HOUSE DISTRICTS

No.	Counties and Cities	No. Delegates	Population
1	Accomack	1	33,832
2		1	
3	Greene	1	
4	Alexandria	2	61,787
5	Clifton Forge	1	
6	and the second s	1	
7	Charlottesville	1	25,969
8		1	
9	Lynchburg	1	47,727
10	Arlington	3	142,984
11	Staunton	2	
12		1	
13		1	
14	Bedford	1	29,627
15		1	
16		1	
17		1	
18	Buchanan	1	35,748
19	Chesterfield	1	

No.	Counties and Cities	No. Delegates	Population
20	Cumberland		
21	Campbell		
22	Spotsylvania	1	• • •
23		1	
24	James City New Kent York	1	•••
25	_	1	
	Prince Edward		24,162
26		1	
27	Frederick	1	
28	ton f f	1	
29	Danville	1	35,066
30		1	
31		2	
32	Fairfax	2	98,557
33	Tazewell	1	47,512
34		1	
35	Franklin		
36	Gloucester		
			24,206
37	Grayson		
38		1	

No.	Counties and Cities	No. Delegates	Population
39	Halifax	1	41,442
40	Hanover King William King and Queen		
41	Henrico	1	57,340
42	Henry		
43	Isle of Wight Nansemond Suffolk		• • • •
44	Nansemond		
45	King George Caroline Essex		• • • •
46			• • • •
47	Westmoreland		,
48	Loudoun		· ·
49	Washington		• • • •
50	Mecklenburg	1	33,497
51	Wise Dickenson		
52			38,806
53	Newport News	1	42,358
54	Warwick		<i>'</i>
55	Norfolk County		
56	Norfolk City	6	213,513
57	Page Warren Rappahannock		
58	Wythe		· ·

No.	Counties and Cities	No. Delegates	Population
59	Petersburg	1	35,054
60	Pittsylvania	2	66,096
61	Portsmouth	2	80,039
62	Prince George Surry Hopewell		• • •
63	Princess Anne		·
64	Prince William		
65	Pulaski	1	27,758
66	Richmond City	7	230,310
67	Roanoke County	1	41,486
68	Roanoke City	2	91,921
69	Rockingham	2	45,889
70	Russell	1	26,818
71	Scott	1	27,640
72	Shenandoah	1	21,169
73	Smyth	1	30,187
74	Southampton	1	26,522

# APPENDIX D

H—House	
S—Senatorial	
C—Congressiona	

C—Congressional	Prop				
Counties			1942 Distri	icts	1952 Districts
Accomack	S C H		1st 1st 1st & 2nd	1	1st
Albemarle	S C H		26th 8th 3rd		8th
Alleghany	S C H		20th 6th 5th		6th
Amelia	S C H		9th 4th 6th		4th
Amherst	S C H		4th 7th 7th & 8th		7th
Appomattox	S C H		11th 4th 20th		4th
Arlington	S C H		22nd 8th 10th		10th
Augusta	.S C H		23rd 7th 11th		7th
Bath	S C H		20th 7th 12th		7th
Bedford	S C H		4th 6th 14th		6th
Bland	S C H		19th 9th 15th		9th
Botetourt	S C H		20th 6th 16th		6th
Brunswick	S C H	• • • • • •	7th 4th 17th		4th

Counties		19	Proposed 1952 Districts		
Buchanan	S C H	18	18th 9th 8th & 19	9th	9th
Buckingham	S C H		11th 4th 20th		4th
Campbell	S C H		12th 6th 21st		6th
Caroline	S C H		31st 1st 22nd		1st
Carroll	S C H		14th 5th 23rd		5th
Charles City	S C H		34th 3rd 24th		1st
Charlotte	S C H		11th 5th 25th		5th
Chesterfield	S C H		34th 3rd 26th		3rd
Clarke	S C H		25th 7th 27th		7th
Craig	S C H		20th 6th 16th		6th
Culpeper	S C H		28th 8th 28th		8th
Cumberland	S C H		11th 4th 20th		4th
Dickenson	S C H		17th 9th 19th		9th

C—Congressional					Proposed
Counties		19	942 Distr	ricts	1952 Districts
Dinwiddie	S C H	• • • • • • • • • • • • • • • • • • • •	8th 4th 30th		4th
Elizabeth City	S C H		33rd 1st 31st		1st
Essex	S C H		32nd 1st 22nd		1st
Fairfax	S C H		29th 8th 32nd		10th
Fauquier	S C H		28th 8th 33rd		8th
Floyd	S C H		14th 6th 23rd		6th
Fluvanna	S C H		26th 8th 34th		8th
Franklin	S C H		21st 5th 35th		5th
Frederick	S C H		25th 7th 27th		7th
Giles	S C H	•••••	19th 9th 15th		9th
Gloucester	S C H		32nd 1st 36th		1st
Goochland	S C H		31st 8th 34th		8th
Grayson	S C H		14th 5th 37th		5th

Counties		19	942 Distr	icts	Proposed 1952 Districts
Greene	S C H		26th 8th 3rd		8th
Greensville	S C H		6th 4th 38th		4th
Halifax	S C H		10th 5th 39th		5th
Hanover	S C H		31st 3rd 40th		8th
Henrico	S C H		24th 3rd 41st		3rd
Henry	S C H		13th 5th 42nd		5th
Highland	S C H		23rd 7th 12th		7th
Isle of Wight	S C H		5th 2nd 43rd		4th
James City	S C H	• • • • • •	34th 3rd 24th		1st
King and Queen	S C H		32nd 1st 22nd		1st
King George	S C H	• • • • • • • • • • • • • • • • • • • •	30th 8th 45th		8th
King William	S C H		31st 3rd 40th		8th
Lancaster	S C H		30th 1st 46th		1st

Counties		1942	Proposed 1952 Districts	
Lee	S C H		thth	9th
Loudoun	S C H		thth	8th
Louisa	S C H	27 8 34	th	8th
Lunenburg	S C H	9 4 51		4th
Madison	S C H	26 8 49	th	8th
Mathews	S C H	32 1 36		1st
Mecklenburg	S C H	4	/th hth & 51st	4th
Middlesex	S C H	32 1 36		1st
Montgomery	S C H	21 6 52		6th
Nansemond	S C H	2	th nd x 44th	4th
Nelson	S C H	7	thth	7th
New Kent	S C H	34 3 24	rd	1st
Norfolk	S C H		rdndth	2nd

Counties		1942 Districts			Proposed 1952 Districts	
Northampton	S C H		1st 1st 2nd		1st	
Northumberland	S C H		30th 1st 45th		1st	
Nottoway	S C H		9th 4th 6th		4th	
Orange	S C H	• • • • • • • • • • • • • • • • • • • •	27th 8th 49th		8th	
Page	S C H		24th 7th 57th		7th	
Patrick	S C H		13th 5th 58th		5th	
Pittsylvania	S C H		13th 5th 60th		5th	
Powhatan	S C H		9th 4th 26th		8th	
Prince Edward	S C H		9th 4th 25th		4th	
Prince George	S C H		6th 4th 62nd		4th	
Princess Anne	S C H		1st 2nd 63rd		2nd	
Prince William	S C H		29th 8th 64th		8th	
Pulaski	S C H		19th 9th 65th		9th	

H-House

S—Senatorial C—Congressional

C—Congressional					Proposed	
Counties		19	42 Distri	icts	1952 Distric	cts
Rappahannock	S C H		24th 7th 28th		7th	
Richmond	S C H		30th 1st 46th		1st	
Roanoke	S C H		21st 6th 67th		6th	
Rockbridge	S C H	12	20th 7th th & 13t	h	7th	
Rockingham	S C H		24th 7th 69th		7th	
Russell	S C H		18th 9th 70th		9th	
Scott	S C H		16th 9th 71st		9th	
Shenandoah	S C H		25th 7th 72nd		7th	
Smyth	S C H		15th 9th 73rd		9th	
Southampton	S C H		5th 2nd 74th		4th	
Spotsylvania	S C H		27th 1st 75th		8th	
Stafford	S C H		27th 8th 64th		8th	
Surry	S C H	•••••	6th 4th 62nd		4th	

Counties	1942 Districts				Proposed 1952 Districts
Sussex	S C H	• • • • • •	6th 4th 38th		4th
Tazewell	S C H		18th 9th 76th		9th
Warren	S C H		24th 7th 57th		7th
Warwick	S C H		33rd 1st 54th		1st
Washington	S C H		15th 9th 77th		9th
Westmoreland	S C H		30th 1st 45th		1st
Wise	S C H		17th 9th 78th		9th
Wythe	S C H	• • • • • • •	19th 5th 79th		5th
York	S C H		32nd 1st 24th		1st

H-House

S—Senatorial C—Congressional

CITIES		19	42 Distr	icts	Proposed 1952 Districts
Alexandria	S C H		29th 8th 4th		10th
Bristol	S C H		15th 9th 77th		9th
Buena Vista	S C H	12	20th 7th th & 13t	h	7th
Charlottesville	S C H		26th 8th 3rd		8th
Clifton Forge	S C H		20th 6th 5th		6th
Colonial Heights	S C H		34th 3rd 26th		3rd
Danville	S C H		13th 5th 29th		5th
Falls Church	S C H		29th 8th 32nd		10th
Fredericksburg	S C H		27th 1st 75th		8th
Hampton	S C H		33rd 1st 31st		1st
Harrisonburg	S C H		24th 7th 69th		7th
Hopewell	S C H		6th 4th 62nd		4th
Lynchburg	S C H	7t	12th 6th th & 9t	h	6th

H—House

S—Senatorial C—Congressional

CITIES		1942 Districts			Proposed 1952 Districts
Martinsville	S C H		13th 5th 42nd		5th
Newport News	S C H	53	33rd 1st 3rd & 54	th	1st
Norfolk	S C H		2nd 2nd 56th		2nd
Petersburg	S C H		8th 4th 59th		4th
Portsmouth	S C H		3rd 2nd 61st		2nd
Radford	S C H		21st 6th 52nd		6th
Richmond	S C H		35th 3rd 66th		3rd
Roanoke	S C H		36th 6th 68th		6th
South Norfolk	S C H		3rd 2nd 55th		2nd
Staunton	S C H		23rd 7th 11th		7th
Suffolk	S C H	43	5th 2nd 3rd & 44	4th	4th
Waynesboro	S C H		23rd 7th 11th	· · · · · · · · · · · · · · · · · · ·	7th
Williamsburg	S C H		34th 3rd 24th		1st
Winchester	S C H		25th 7th 27th		7th



